

Julie Masters, Mayor  
Mark Townsend, Mayor Pro Tem  
Kerry Neves  
Mary Dunbaugh

# **MINUTES**

City of Dickinson  
**CITY COUNCIL**  
**MEETING**

Charles Suderman  
Louis Decker  
William H. King III  
Ivan Langford, City Administrator

**October 25, 2005**

**NOTICE** is hereby given of a **REGULAR MEETING** of the City Council for the City of Dickinson, County of Galveston, State of Texas, to be held on **TUESDAY October 25, 2005**, at **7:00 p.m.** at: 2716 FM 517 East, Dickinson, Texas 77539 for the purpose of considering the following numbered items. The City Council of the City of Dickinson, Texas, reserves the right to meet in a closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

**ITEM 1.) CALL TO ORDER**

Invocation, Pledge of Allegiance, Roll Call

Mayor Pro Tem Townsend called the meeting to order at 7:03 p.m. Councilmen Suderman gave the Invocation and Councilwoman Dunbaugh led the Pledge of Allegiance. Community Development Coordinator Angela Forbes made roll call in which Council members Suderman, Townsend, Dunbaugh, Neves and Decker were present. Also present were City Attorney Scott Bounds, Community Development Coordinator Angela Forbes, Police Chief Ron Morales, Public Works Superintendent Kellis George and Finance Director Usha Mathew. Absent were Mayor Masters, Councilman King and City Secretary Rena Hardage, all of whom were out of town attending the annual TML training conference.

**ITEM 2.) PROCLAMATIONS AND ANNOUNCEMENTS:**

**The Annual Community-wide** Thanksgiving dinner will be held at the VFW Hall on November 19, 2005, volunteers needed to help cut the turkeys on the morning of.

Festival of Lights opens to the public on November 26, 2005.

Councilwoman Dunbaugh requests staff and Council to perform a study to justify increasing speed limit from 30 mph to 35 mph on FM 517 East between Garcia's Grill and Fm 1266. Ivan Langford stated staff will include this item on the November 8, 2005 agenda for discussion.

Ivan Langford stated the debris clean-up from Hurricane Rita is completed at a cost of approximately \$125,000. The City is requesting 100% reimbursement from FEMA.

Councilwoman Dunbaugh thanked Street Superintendent George and his crew for helping Dickinson Beautiful as they cleaned the planter boxes this past (October 22, 2005) Saturday.

- ITEM 3.) PUBLIC COMMENTS:** At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, the City Council may not deliberate.

Pastor John Overton from Pine Drive Baptist invited council and public to "Life Choices Presents" and asked If the police department will look their way during this event on October 26, 2005 at 6p.m.

- ITEM 4.) CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:**  
The following items are considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion on these items unless a Council member requests, in which event, the item will be removed from the consent agenda and discussed after the consent agenda.

Approval of Minutes of the Regular Meeting of October 11, 2005.

Councilmen Decker made the motion to approve the minutes of October 11, 2005. Councilmen Suderman seconded the motion. **MOTION CARRIED**

**Ayes:** Dunbaugh, Neves, Decker, Townsend and Suderman

**Noes:** None

### **OLD BUSINESS**

- ITEM 5.) DISCUSSION/ACTION:** Approval of ORDINANCE NO. 564-2005 to AMEND CHAPTER 8, ARTICLE V, AUTO WRECKERS, OF ITS CODE OF ORDINANCES MAKING VARIOUS FINDINGS; AMENDING THE DEFINITIONS OF CONSENT TOW, NON-CONSENT TOW, AND POLICE AUTHORIZED TOW; REQUIRING CERTAIN OPERATORS TO HAVE VEHICLE STORAGE FACILITIES WITHIN THE CITY OR WITHIN TWO MILES OF THE CITY; REQUIRING THE FILING OF FEE SCHEDULES FOR NON-CONSENT TOWS; PROVIDING FOR FEES TO BE AMENDED BY RESOLUTION; MAKING OTHER PROVISIONS RELATED THERETO; PROVIDING SAVINGS AND SEVERABILITY PROVISIONS; PROVIDING A PENALTY OF UP TO \$200.00 FOR EACH VIOLATION OF THIS

ORDINANCE; AND PROVIDING FOR THE PUBLICATION AND AFFECTIVE DATE HEREOF. (second of three readings)

Mayor Pro Tem Townsend suggested to; table this item until next meeting.

Councilman Suderman made the motion to table until next meeting. Councilwoman Dunbaugh seconded the motion. **NO ACTION TAKEN**

Rick Dickson with Gay Pontiac gave a packet of invoices from Action Towing to all council members. This included unreasonable transfer fees and other business names not registered nor licensed with the City.

Jerry Armstrong stated if we allow this ordinance amendment the City will lose the control of wrecker services in our city and our citizens will be taken advantage of.

Jasper Liggio suggested the City should enter in contract with three of four local wrecker services.

### **NEW BUSINESS**

**ITEM 6.) DISCUSSION/ACTION:** Texas Department of Transportation Off-System Bridge Replacement Program

TXDOT has announced the City owned bridge on Cherry St. crossing Bensen's Gully is eligible for replacement under their 'off-system' bridge replacement program. The total cost is anticipated to be \$1.2 million, with the State and Federal governments paying 90% of the project costs. City Administrator Ivan Langford stated staff needs some direction with this project. The City will have to provide a 10% local match which is estimated at \$121,000. Mayor Pro Tem Townsend suggested we put money aside over the next three or four budget years to pay for our part of this project. All councilmembers present agreed. **NO ACTION TAKEN**

**ITEM 7.) DISCUSSION/ACTION:** Approval of ORDINANCE NO. 565-2005 AN ORDINANCE OF THE CITY COUNCIL AMENDING CHAPTER 15.1, SIGNS, OF THE CODE OF ORDINANCES, CITY OF DICKINSON, TEXAS, RELATING TO RELIGIOUS EMBLEMS; PERMITTING INSTALLATION OF CERTAIN RELIGIOUS EMBLEMS; PROVIDING A PENALTY OF UP TO \$2,000.00 FOR VIOLATIONS; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO. (first of three readings)

Motion to approve Ordinance 565, amending the sign regulations, was made by Councilwoman Dunbaugh. Motion was seconded by Councilman Suderman. John Overton Pastor of Pine Drive Baptist asked about the

process. Council explained that it must have three readings. Councilmembers questioned height and width regulations. Ivan Langford and Scott Bounds (City Attorney) explained that we have limitations in the Zoning Ordinance already and all emblems must meet windstorm requirements as well. The ordinance exempts religious emblems less than 20' height from the sign regulations. **MOTION CARRIED**

**AYES:** Dunbaugh, Decker, Suderman, Townsend and Neves

**NOES:** None

**ITEM 8.) DISCUSSION/ACTION:** RESOLUTION 819-2005 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS CREATING A CAPITALIZATION POLICY FOR CAPITAL ASSETS OF THE CITY OF DICKINSON, TEXAS

Council asked Finance Director Usha Matthew to specify 30 years for concrete streets and 10 to 15 for asphalt streets in the Asset Categories.

Councilwoman Dunbaugh made a motion to approve RESOLUTION 819-2005 with changes mentioned. Councilman Decker seconded the motion.

**MOTION CARRIED**

**AYES:** Suderman, Neves, Dunbaugh, Townsend and Decker

**NOES:** None

**ITEM 9.) DISCUSSION/ACTION:** RESOLUTION 820-2005 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING THE MAYOR TO ACT AS THE CITY'S REPRESENTATIVE IN ACCEPTING ELIGIBLE GRANT FUNDS UNDER THE TEXAS DEPARTMENT OF TRANSPORTATION TRAFFIC SAFETY PROGRAM STEP WAVE GRANT FOR THE FISCAL YEAR 2006.

Councilman Neves made the motion to approve RESOLUTION 819-2005. Councilwoman Dunbaugh seconded the motion. Councilwoman Dunbaugh asked if the money was budgeted and Police Chief Ron Morales state it was in FYI-2006 budget. The City agrees to pay the 17% or \$2080 and the State is providing a match of \$12,780. **MOTION CARRIED**

**AYES:** Neves, Dunbaugh, Decker, Townsend and Suderman

**NOES:** None

**ITEM 10.) DISCUSSION/ACTION:** Approval of awarding Bid No. PW 01-2005, the Uniform Rentals, to G & K Services in the amount of \$3,003.

Councilman Decker made a motion to approve Bid No.PW01-2005. Councilman Suderman seconded the motion. **MOTION CARRIED**

**AYES:** Decker, Suderman, Dunbaugh, Townsend and Neves  
**NOES:** NONE

**ITEM 11.) DISCUSSION/ACTION:** Approval of Resale Deed for Lot 1, Block 1, Tropical Gardens, along with improvements located thereon; issued by Dickinson Independent School District to Stephen Reckner in the amount of \$6,944.

Councilwoman Dunbaugh made the motion to approve. Motion was seconded by Councilman Neves. Staff noted that the City will recoup from this sale approximately \$2,000 from a lien filed by the City years ago for the clean up of the property. **MOTION CARRIED**

**AYES:** Suderman, Dunbaugh, Neves, Townsend and Decker  
**NOES:** None

**ITEM 12.) ADJOURN**

Councilwoman Dunbaugh made the motion to adjourn the meeting. Councilman Suderman seconded the motion. Mayor Pro Tem Townsend Adjourned the meeting at 7:46 p.m. **MOTION CARRIED**

**AYES:** Dunbaugh, Neves, Decker, Townsend and Suderman  
**NOES:** None

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Mark Townsend, Mayor Pro Tem

ATTEST:

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Angela Forbes,  
Community Development Coordinator